SPONSOR: Sen. Henry & Sen. Cloutier & Rep. Longhurst
Sens. Lavelle, Townsend; Reps. Baumbach, Bentz, Briggs King, Heffernan, J. Johnson, Keeley, Kowalko, Lynn, Viola, Wilson

DELAWARE STATE SENATE
149th GENERAL ASSEMBLY

SENATE BILL NO. 166

AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE PROVISION OF FREE FEMININE HYGIENE PRODUCTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 89, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 8903. Powers, duties and functions — Commissioner.

The Commissioner shall:

(12) Devise and adopt a plan to provide weapons training to all probation and parole officers. Such plan shall include an option for each such officer to carry a firearm, after successful completion of a course in weapons, during work in the field. Said course of training shall meet or exceed the standards established by the Council on Police Training. Such plan shall be in operation no later than September 15, 1992; ~~and~~

(13) Upon an order of the court directing the Department to debit moneys in an inmate account in accordance with Chapter 88 of Title 10, the Department shall, to the extent adequate funds are available, transfer such moneys to the court. To the extent an inmate's account does not have adequate funds to comply with the court's order, the Department shall debit the inmate's account for future payment to the court. The Department shall retain records of an inmate's account upon the release of the prisoner from the custody of the Department if such account has a negative balance pursuant to a court order under Chapter 88 of Title 10. The outstanding balance of such an account shall be reinstated should that person be committed to the custody of the Department at some future time. Notwithstanding the above, no court order pursuant to Chapter 88 of Title 10, shall have priority over charges or debits pursuant to § 6536(b) or (c) of ~~Title 11.~~ Title 11; and

(14) Provide feminine hygiene products to inmates at no cost in facilities maintained by the Department. For purposes of this paragraph, “feminine hygiene products” means tampons and sanitary napkins, for use in connection with the menstrual cycle.

Section 2. Amend Chapter 90 of Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9003. Powers, duties and functions.

The Department of Services for Children, Youth and Their Families shall have the following powers, duties and functions:

(18) Provide feminine hygiene products to youth at no cost in facilities maintained by the Department.

For purposes of this paragraph, "feminine hygiene products" means tampons and sanitary napkins, for use in connection with the menstrual cycle.

Ssynopsis

This Act requires that feminine hygiene products be provided free of charge to individuals in custody at facilities operated by the Department of Correction and facilities operated by the Department of Services for Children, Youth and Their Families.

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Author: Senator Henry